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International Convention on
the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-third session

CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on
the Elimination of Racial Discrimination

Cuba

1. The Committee considered the tenth, eleventh and twelfth periodic reports of Cuba (CERD/C/319/Add.4) at its 1290th and 1291st meetings, on 12 and 13 August 1998, and, at its 1301st meeting, on 20 August 1998, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the presentation of the State party's report and appreciates the opportunity to resume the dialogue with the State party. The report followed the guidelines for the presentation of reports and contained useful information which was complemented by the oral information provided by the delegation. The Committee also welcomes the submission by Cuba of the core document (HRI/CORE/1/Add.84).

B. Factors or difficulties impeding the
implementation of the Convention

3. It is recognized that Cuba has experienced serious economic difficulties as a result of the embargo in place since the beginning of the 1990s that affect the full enjoyment of economic, social and cultural rights, especially by less favoured social groups. Among those groups there is, for historical and socio-cultural reasons, a high percentage of the black and mestizo population.

## C. Positive aspects

4. Appreciation is expressed with regard to the commitment of the State party to eliminating all manifestations of racial discrimination, especially through the adoption since 1959 of appropriate legislation, equal opportunity policies and widespread education of the population. The policy of promoting blacks to managerial positions at all levels within the country, including the highest political organs, is welcomed.

5. The statement by the State party that although in public life racial prejudice is practically insignificant, it still appears in the most private areas of life, particularly in social engagements and marriage, is also appreciated. Efforts to promote equality seem to have raised a widespread feeling among the general public that racial prejudice is unacceptable and harmonious interracial relations increase in every walk of life.

6. It is also noted with interest that the 1992 constitutional reform introduced a number of provisions by which aliens resident in Cuba enjoy the same rights as Cubans in matters such as the protection of their persons and property and the enjoyment of the rights and performance of the duties laid down in the Constitution.

7. The fact that academic institutions are conducting studies on different aspects of the racial question is also welcomed.

## D. Principal subjects of concern

8. The report of the State party does not provide sufficient information on the practical implementation of the Convention, in particular articles 4 to 6.

## E. Suggestions and recommendations

9. The Committee recommends that the State party, in its next periodic report, provide fuller information on the demographic composition of the population in the light of paragraph 8 of the reporting guidelines. The findings of the study being conducted by the Anthropology Centre about race relations and ethnicity should be summarized in the next report.

10. The Committee requests the Government of Cuba to provide, in its next periodic report, information on the number of complaints of racial discrimination, the outcome of the prosecution of cases of racial discrimination and the redress, if any, provided to persons affected by such discrimination. The role of the Attorney-General in dealing with complaints should also be clearly explained in the light of article 6 of the Convention.

11. Particular attention should be paid by the State party to the Committee's general recommendation XIII (42) of 16 March 1993 on the training of law enforcement officials in the protection of human rights and general recommendation XVII (42) of 19 March 1993 on the establishment of national institutions to facilitate the implementation of the Convention. Information in that respect should be included in the next periodic report.

12. The Committee invites the State party to give publicity to the Convention, the periodic report as well as the Committee's concluding observations thereon, so that the judiciary, the legal profession, the relevant government agencies and the public at large are made fully aware of the provisions and the potential of the Convention.

13. It is noted that the State party has not made the declaration provided for in article 14 of the Convention and some members of the Committee requested that the possibility of such a declaration be considered.

14. The Committee recommends that the State party's next periodic report, due on 16 March 1999, be an updating report and that it address all the points raised in the present observations.

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